

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested.

Currently, claims 1-47 are pending in this application.

Rejection Under 35 U.S.C. §103:

Claims 1-32 were rejected under 35 U.S.C. §103 as allegedly being unpatentable over St. Clair (U.S. '333) in view of Yuan (U.S. '704). Applicant respectfully traverses this rejection.

In order to establish a *prima facie* case of obviousness, all of the claim limitations must be taught or suggested by the prior art. The combination of St. Clair and Yuan fails to teach or suggest all of the claim limitations. For example, the combination fails to teach or suggest a server being sent from a first place *through* a distributed computing environment towards a second place as required by independent claims 1 and 8. Similar (but not necessarily identical) comments apply to independent claims 20, 21, 29 and 30. The combination also fails to teach or suggest a software entity for providing a server, the software entity being selectively relocateable to different places via transmission through a distributed computing environment as required by independent claim 13. Similar (but not necessarily identical) comments apply to independent claims 25, 28, 31 and 32.

St. Clair describes how a portable server 12 is physically disengaged from a network, physically moved within the network by a user, and then physically re-engaged into the network. The portable server 12 may be in the form of a card member or other medium which is physically portable. Section 6 of the Office Action admits "St. Clair

does not specifically disclose that the portable server could be communicated through a distributed computing environment.”

Yuan fails to remedy the admitted deficiencies of St. Clair. Col. 3, line 53 - col. 4, line 14 (specifically identified by the Office Action) describes a mobile host (MH) 74. However, this mobile host 74 functions as a client, not a server. Yuan therefore clearly fails to remedy the admitted deficiency of St. Clair regarding a portable server being communicated through a distributed computing environment. The particular problems associated with moving a server would not be necessarily experienced in moving a client.

As indicated by arrow 76 in Fig. 3, Yuan discloses physically moving the (client) mobile host 74 from a home network 62 to a foreign network 64. Yuan therefore fails to teach or suggest sending a portable server through a distributed computing environment. As yet another example, Fig. 6 and corresponding written description on col. 9, lines 53-63 of Yuan disclose a mobile host 118 sitting within a mobile unit 116. Yuan discloses that the mobile unit 116 can be a lap-top computer system (col. 9, line 60). This mobile unit 116 is thus physically moved from one network to another. Accordingly, Yuan discloses physical movement of a (client) mobile unit having a mobile host for use by a user, not a portable server being communicated through a distributed computing environment.

Yuan discusses a network protocol called Mobile IP, which supports the mobility of conventional hosts within an IP network. (See, e.g., col. 3, line 66 to col. 4, line 1). Yuan seeks to solve a problem concerning the movement of mobile data devices between networks.

Mobile IP permits “mobile device users to move from one network to another while maintaining their permanent IP address” (Wikipedia, at http://en.wikipedia.org/wiki/Mobile_IP). It is developed specifically for users of mobile devices who carry such devices with them – i.e. the users are the source of mobility. This is confirmed in RFC 2002 “IP Mobility Support” October 1996, editor C. Perkins, which can be found at <http://www.faqs.org/rfcs/rfc2002.html>, which refers to notebook computers in the Introduction. This mobile IP discussed by Yuan confirms that Yuan is concerned with physical movement of client devices, not a portable server being communicated through a distributed computing environment.

Independent claim 20 requires a server being serialized for a transmission from a first place to a second, different, place through the distributed computing environment. Similar comments apply to dependent claims 5, 18 and 24. The combination of St. Clair and Yuan fails to teach or suggest these limitations. For example, St. Clair relates to the physical movement of a server 12 which may be in the form of a card member or other medium. Yuan relates to the physical movement of a client mobile host.

With respect to claims 2, 22 and 28, Applicant submits that the combination of St. Clair and Yuan fails to teach or suggest freezing incoming calls for the server at a first place while the server is being sent from the first place to a second different place.

Accordingly, Applicant submits that claims 1-32 are not “obvious” in view of St. Clair and Yuan and therefore respectfully requests that the rejection of these claims under 35 U.S.C. §103 be withdrawn.

New Claims:

LEBRE et al.
Application No. 09/647,736
January 25, 2006

New claims 33-47 have been added to provide additional protection for the invention. Applicant submits that each of these claims is allowable for at least the reasons discussed above with respect to their respective independent base claim. Accordingly, Applicant submits that these new claims are allowable.

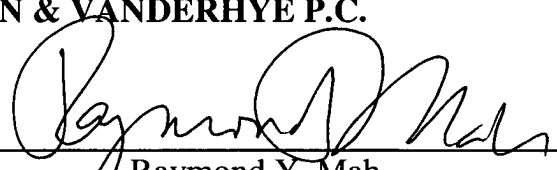
Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Raymond Y. Mah
Reg. No. 41,426

RYM:sl
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4044
Facsimile: (703) 816-4100